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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER				
BONSHOCK, DENNIS G				
ART UNIT		PAPER NUMBER		
2173				
NOTIFICATION DATE		DELIVERY MODE		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

09/769,968

Applicant(s)

SATO ET AL.

Examiner

DENNIS G. BONSHOCK

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Non-Final Rejection

Response to Amendment

1. It is hereby acknowledged that the following papers have been received and placed on record in the file: Amendment as received on 8-18-2008.
2. Claims 1-28 have been examined.

Status of Claims:

3. Claims 1-3, 7-9, 13-15, and 19-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matoba et al., Patent # 6,392,669, hereinafter Matoba, Pietropaolo et al., Patent # 6,351,765, hereinafter Pietropaolo, Mizuno, Patent 3 6,380,953, Nakajima, Patent Number: 5,410,369, and Gagnon et al., Patent #6,522,342, hereinafter Gagnon.
4. Claims 4, 5, 10, 11, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matoba, Pietropaolo, Mizuno, Nakajima, Gagnon, and Protheroe et al., Patent # 6,414,686, hereinafter Protheroe.
5. Claims 6, 12, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matoba, Pietropaolo, Mizuno, Nakajima, Gagnon, and Crow et al., Patent # 6,538,665, hereinafter Crow.

Claims 26-28 have been cancelled by the applicant.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 7-9, 13-15, and 19-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matoba et al., Patent # 6,392,669, hereinafter Matoba, Pietropaolo et al., Patent # 6,351,765, hereinafter Pietropaolo, Mizuno, Patent 3 6,380,953, Nakajima, Patent Number: 5,410,369, and Gagnon et al., Patent #6,522,342, hereinafter Gagnon.

7. With regard to claims 1, 7, and 13, Matoba teaches a reservation registration apparatus, method, and storage medium (see column 2, line 41), that combines a reservation subject icon (see column 3, line 41), a means for recording the start time of a piece of media (see column 3, line 28), and elements being controlled by defined start times in the timeline (see column 3, lines 28-41 and figure 6). Matoba however doesn't teach a time based display area, where in when an icon is moved into the display area, the display area displays the corresponding time division, and a selection means for receiving input media for the arbitrary reservation subject, and input media having at least one component, said selection means operating to select and mix formats of the at least one component of the media.

Pietropaolo teaches a media editing system similar to that of Matoba, but also teaches the use of a time based display area (see column 11, line 55), the functionality of being able to move icons into this display area (see figure 9 and column 11, line 52), a receiving of input media from the reservation subject, the input having at least one component (video) (see column 1, lines 5-12, and column 2, lines 4-10), the system receiving media of different formats (see column 1, lines 5-12 and column 2, lines 4-10 and lines 35-43) and controlling the beginning and ending times based on the users

placement of the media in the timeline (see column 11, line 52 through column 12, line 21). It would have been obvious to one of ordinary skill in the art, having the teachings of Matoba and Pietropaolo before him at the time the invention was made to modify the schedule management system of Matoba to include the time based display and the functionality of dragging icons into the display area, the interface for receiving media components, possibly of different formats of Pietropaolo. One would have been motivated to make such a combination because the use of a time based display for importing icons provides the user with a simple means to import media in one of a plurality formats where they can keep track of when the specific media will be played. Matoba and Pietropaolo teach systems for setting up scheduling on a time based computer display (*supra*), but don't specifically teach controlling the power supply to the scheduling apparatus.

Mizuno teaches an apparatus for displaying a Gantt chart displaying scheduling information (see column 1, lines 64-67 and column 2, lines 17-27), similar to that of Matoba and Pietropaolo, but further teaches a control mechanism for controlling a power supply (see column 10, lines 30-39). It would have been obvious to one of ordinary skill in the art, having the teachings of Matoba, Pietropaolo, and Mizuno before him at the time the invention was made to modify the scheduling systems of Matoba and Pietropaolo to include a power supply control, as did Mizuno. One would have been motivated to make such a combination because power supplies, used in electrical systems, such as those used in Matoba, Pietropaolo, and Mizuno, allow for power to be applied to a system when needed and taken away from a system when not

needed, in order to conserve power. Matoba, Pietropaolo, and Mizuno, however don't specifically teach a process control mechanism that is always in operation to control the power supply to turn on when the starting time set in the reservation setting information is reached and to control the performance.

Nakajima teaches a system for use in setting up reservation registration for program content in a television broadcasting apparatus (see column 1, lines 7-23 and column 7, lines 14-24), similar to that of Matoba, Pietropaolo, and Mizuno, but further teaches a CPU that continually check (even in power OFF state) the reservation start times against the current time in order to turn the device power ON upon the current time reaching the reservation time and then further operable to control the reception of content (see column 7, lines 56-66, column 8, lines 50-54, and in column 14, lines 5-20). It would have been obvious to one of ordinary skill in the art, having the teachings of Matoba, Pietropaolo, Mizuno, and Nakajima before him at the time the invention was made to modify the reservation time visualization system of Matoba, Pietropaolo, and Mizuno to include the power control based upon reservation start time of Nakajima. One would have been motivated to make such a combination because this allows for minimal power consumption while still being available to address scheduled reservations. Matoba, Pietropaolo, Mizuno, and Nakajima however, don't specifically teach the ability to receive input media in mixed formats (analog, digital, and optical) and convert formats for use.

Gagnon teaches a system which receives audio/video data and displays the content in a time divided display (see column 1, lines 35-42, column 19, lines 10-17,

and column 17, line 56 through column 18, line 6, along with figures 12 and 14), similar to that of Matoba, Pietropaolo, Mizuno, and Nakajima, but further teaches receiving data in analog/digital formats possibly through an optical connection, where when received the diverse formats are converted for use (see column 1, lines 35-42, column 8, lines 20-35, and column 8, line 61 through column 9, line 10). It would have been obvious to one of ordinary skill in the art, having the teachings of Matoba, Pietropaolo, Mizuno, and Nakajima before him at the time the invention was made to modify media scheduling display system of Matoba, Pietropaolo, and Mizuno to include the ability to receive media in diverse formats and convert them into a common useable format, as did Nakajima. One would have been motivated to make such a combination because receipt of media in different formats and conversion to a common format is widely used in the art as a means to be adaptable to the fact that audio and video come in a wide range of formats where it is desirable to be able to use the diverse media in a common application.

8. With regard to claims 2, 8, and 14, Matoba further teaches the said recorded media being program executable (see column 7, line 30).

9. With regard to claims 3, 9, and 15, Matoba further teaches the detection of the first end, corresponding to a program starting time and the second end, corresponding to a program ending time (see figure 1 and column 3, line 28), and reservation being preformed based on these values (see column 3, line 35).

10. With regard to claim 19, which teaches the at least one component being an audio component, Pietropaolo teaches, in column 2, lines 4-10, the media editor being an video and/or audio editor.

11. With regard to claim 20, which teaches the at least one component being an video component, Pietropaolo teaches, in column 2, lines 4-10, the media editor being an video and/or audio editor.

12. With regard to claim 21, which teaches the formats of the at least one component includes an analog format, Pietropaolo teaches, in column 1, lines 5-12, the system receiving both analog and digital video.

13. With regard to claim 22, which teaches the formats of the at least one component includes an digital format, Pietropaolo teaches, in column 1, lines 5-12, the system receiving both analog and digital video.

14. With regard to claim 23, which teaches the formats of the at least one component includes an optical format, Pietropaolo teaches, in column 1, lines 5-12, the system receiving both analog and digital video, which could obviously have come from a optical source.

15. With regard to claim 24, which teaches the reservation subject playing a disc drive, Pietropaolo teaches, in column 6, lines 30-37 and in figures 3 and 4, the user importing audio and video information via an import screen which is capable of accessing media both locally and remotely over a network, where figure 3 shows a computer tower having a disc drive.

16. With regard to claim 25, which teaches the reservation subject receiving a signal from a radio, Pietropaolo teaches, in column 6, lines 30-37 and in figures 3 and 4, the user importing audio and video information via an import screen which is capable of accessing media both locally and remotely over a network, where receiving audio information via a radio signal it obvious.

17. Claims 4, 5, 10, 11, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matoba, Pietropaolo, Mizuno, Nakajima, Gagnon, and Protheroe et al., Patent # 6,414,686, hereinafter Protheroe. Matoba, Pietropaolo, Mizuno, Nakajima, and Gagnon teach the schedule management system as rejected above in claims 1-3, 7-9, and 13-15. They however fail to teach the ability to move whole reservations around on the display screen, or to move one end of a reservation (clipping). Protheroe teaches a multimedia editing system similar to that of Matoba, Pietropaolo, Mizuno, Nakajima, and Gagnon, but further teaches the ability to move whole reservations around on the display screen (see column 6, line 40), and she also teaches the process of clipping (see column 6, line 43). It would have been obvious to one of ordinary skill in the art, having the teachings of Matoba, Pietropaolo, Mizuno, Nakajima, Gagnon, and Protheroe before him at the time the invention was made to modify the scheduling management system of Matoba, Pietropaolo, Mizuno, Nakajima, and Gagnon to include the said editing functionality of Protheroe. One would have been motivated to make such a combination because importing and exporting a piece of media anytime you need to change its location or properties would be superfluous.

18. Claims 6, 12, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matoba, Pietropaolo, Mizuno, Nakajima, Gagnon, and Crow et al., Patent # 6,538,665, hereinafter Crow. Matoba, Pietropaolo, Mizuno, Nakajima, and Gagnon teach the schedule management system as rejected above in claims 1-3, 7-9, and 13-15. They however fail to teach the ability to drag media into a trash bin for deletion. Crow teaches a media presentation scheme similar to that of Matoba, Pietropaolo, Mizuno, Nakajima, and Gagnon, but further teaches the ability to drag pieces of media into a trash bin (see column 9, line 50). It would have been obvious to one of ordinary skill in the art, having the teachings of M Matoba, Pietropaolo, Mizuno, Nakajima, Gagnon, and Crow before him at the time the invention was made to modify the schedule management system of Matoba, Pietropaolo, Mizuno, Nakajima, and Gagnon to include the trash removal system of Crow. One would have been motivated to make such a combination because this form of deleting items has become a standard interface in most operating systems today.

Response to Arguments

The arguments filed on 8-18-2008 have been fully considered but they are not persuasive. Reasons set forth below.

Applicant's arguments with respect to claims 1, 7, and 13 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DENNIS G. BONSHOCK whose telephone number is (571)272-4047. The examiner can normally be reached on Monday - Friday, 6:30 a.m. - 4:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on (571) 272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dennis G. Bonshock/
Examiner, Art Unit 2173
9-24-08
dgb